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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PURDUE PHARMA L.P., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**NOTICE OF FILING OF STIPULATION AND AGREED ORDER REGARDING
PRODUCTION OF DOCUMENTS AND PRIVILEGE LOGS CONCERNING
MATERIALS IN THE IMMEDIATE POSSESSION
OF NORTON ROSE FULBRIGHT LLP**

PLEASE TAKE NOTICE that, on January 6, 2021, the Official Committee of Unsecured Creditors (the “UCC”) appointed in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the “Debtors”) and the Ad Hoc Group of Non-Consenting States (the “NCSG”) submitted a joint letter (the “January 6 Letter”) to the Court requesting that

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

Simpson Thacher & Bartlett LLP (“STB”), in its capacity as the law firm authorized by certain parties in interest in these cases to coordinate review and production of electronically stored information and other documents in the immediate possession of Norton Rose Fulbright LLP (“NRF”), be ordered to complete its production of certain categories of documents and provide a log of any such documents withheld from such production on grounds of privilege or other claimed immunity from disclosure.

PLEASE TAKE FURTHER NOTICE that, on January 7, 2021, STB submitted to the court a letter (the “January 7 Letter”) opposing the relief sought by the UCC and the NCSG in the January 6 Letter.

PLEASE TAKE FURTHER NOTICE that the UCC, the NCSG and STB have resolved the disputes described in the January 6 Letter and the January 7 Letter by entering into the *Stipulation and Agreed Order Regarding Production of Documents and Privilege Logs Concerning Materials in the Immediate Possession of Norton Rose Fulbright* (the “Stipulation”) attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that the Stipulation does not alter the rights or obligations of any person or entity not party to the Stipulation.

PLEASE TAKE FURTHER NOTICE that the UCC, the NCSG and STB intend to request respectfully that the Court sign and enter the Stipulation at its earliest convenience.

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Dated: New York, New York
January 14, 2021

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP
By: /s/ Mitchell P. Hurley

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*Counsel to the Official Committee of Unsecured
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Exhibit A

Stipulation

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
PURDUE PHARMA L.P., <i>et al.</i> , ¹)	Case No. 19-23649 (RDD)
)	
Debtors.)	(Jointly Administered)
)	

**STIPULATION AND AGREED ORDER REGARDING PRODUCTION OF
DOCUMENTS AND PRIVILEGE LOGS CONCERNING MATERIALS
IN THE IMMEDIATE POSSESSION OF NORTON ROSE FULBRIGHT**

The Official Committee of Unsecured Creditors of Purdue Pharma L.P. (the “UCC”), the Ad Hoc Group of Non-Consenting States (the “NCSG”), and Simpson Thacher & Bartlett (“STB”) (collectively, the “Parties”), by and through their undersigned counsel, hereby agree, as set forth below in this agreement (the “Agreement”).

Recitals

A. STB represents Stuart Baker, who is of counsel at Norton Rose Fulbright (“NRF”). Counsel to Side A, Side B, the IACs and the II Way Entities (“Sackler NRF Clients”) authorized STB to coordinate review and production of electronically stored information, including emails (“ESI”) and other documents, in the immediate possession of NRF responsive to subpoenas and requests served on the Sackler NRF Clients by the UCC. STB also is gathering ESI and other

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

documents in the immediate possession of NRF responsive to the subpoena served on Mr. Baker by the UCC.

B. On November 9, 2020, STB agreed to, by the end of November, (i) produce ESI of Mr. Baker and the Sackler NRF Clients returned by search criteria proposed by the Debtors on or about November 1, 2020 (the “**Returned Documents**”), and (ii) log any Returned Documents withheld from such production on the grounds of privilege or any other claimed immunity from disclosure.

C. STB made its first production of approximately 45,000 of the Returned Documents on November 30, 2020.

D. On December 1, 2020, STB notified the UCC that STB’s share of the documents returned by the November 1, 2020 search terms was more than it anticipated and stated that additional productions would be made on a rolling basis.

E. On December 23, 2020, STB made a second production of approximately 18,500 documents.

F. On December 28, 2020, the UCC asked STB to confirm it would complete the agreed production and logs by the end of December 2020. On January 4, 2021, STB advised the UCC that “as of December 23 [the Debtors] informed us that there are as many as 34,192 records they determined relate to non-Debtor clients of NRF and need to be reviewed by” STB.

G. STB has not yet completed production of the Returned Documents. STB has not supplied any privilege log with respect to the production, except that STB logged certain documents STB identified as inadvertently produced.

H. On January 6, 2021, the UCC and NCSG submitted a joint letter to the Court (the “**January 6 Letter**”) requesting that STB be ordered to, no later than January 11, 2021, complete

its production of Returned Documents and provide a log of any Returned Documents withheld from that production on grounds of privilege or other claimed immunity from disclosure. On January 7, 2021, STB wrote the Court opposing the relief sought by the UCC and NCSG in the January 6 Letter.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. On or before January 15, 2021, STB will (i) serve its third production of the Returned Documents and (ii) identify any Returned Documents withheld from production as of January 15, 2021 on the basis of privilege or other immunity from disclosure on a log populated by available metadata fields, to include, if available, date, sender(s), recipient(s) (including cc's or bcc's), email subject line (or other subject line as applicable), author, document title or file name, and production Bates number for any redacted documents, and produced in native Excel format (a "**Metadata Log**"). STB estimates that on or before January 15, 2021, it will have reviewed, and either produced or logged on the Metadata Log, approximately 120,000-130,000 of the Returned Documents, which total approximately 175,000 documents.

2. On or before February 1, 2021, STB will (i) substantially complete production of all remaining Returned Documents and (ii) identify on a Metadata Log all remaining Returned Documents withheld from production on the basis of privilege or other immunity from disclosure.

3. The Parties agree to abide by Rule 502(b) of the Federal Rules of Evidence and paragraphs 66-70 of the Third Amended Protective Order [ECF No. 1935] with respect to any information that is privileged or otherwise immune from disclosure and inadvertently produced via a Metadata Log. The UCC and NCSG further agree not to object to an assertion of privilege

or other immunity from disclosure on the basis that information was disclosed and/or privilege was waived through service of a Metadata Log.

4. On or before February 15, 2021, STB will identify all of the Returned Documents withheld from production on the basis of privilege or other immunity from disclosure at any time on a log that conforms with the rules applicable in this Court, including Fed. R. Civ. P. 26(b)(5) and S.D.N.Y. Local B.R. 7034-1.

5. The UCC and NCSG hereby withdraw their request for Court-ordered relief set forth in the January 6 Letter.

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STIPULATED AND AGREED:

Dated: January 14, 2021
New York, New York

/s/ Mitchell P. Hurley
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*Counsel to the Ad Hoc Group of
Non-Consenting States*

SO ORDERED.

Dated: January __, 2021
White Plains, New York

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THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE